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June 24, 2014

Via Email & U.S. Mail
kentljones@utah.gov

Mr. Kent L. Jones, P.E.
State Engineer
Division of Water Rights
1594 West North Temple, Suite 220
Salt Lake City, Utah 84114-6300

Re: Wolf Creek Irrigation Company

Dear Mr. Jones:

We represent Summit Mountain Holding Group and its affiliates (Summit), the current owner and developer of the Powder Mountain Ski Resort. The resort and surrounding area is provided water and sewer service through the Powder Mountain Water and Sewer Improvement District (PMWSID). We do not represent that district; it is represented by Mark Anderson of Fabian & Clendenin. I have forwarded a copy of the letter from Jody Williams to you dated June 23, 2014; along with a copy of this letter to Mr. Anderson for his attention.

While I understand the concerns of Wolf Creek Irrigation Company (WCIC), over one hundred homes have been constructed in the Powder Mountain area in reliance on the existing approved water rights of the PMWSID. Termination of all diversions of water by the PMWSID because of this priority call by WCIC will create an immediate health, safety and welfare risk for the residents and establishments presently receiving water and sewer service from the PMWSID. Accordingly, simply shutting off the tap is not a viable option.

There are likely several mitigation measures that can be implemented to off-set any interference with the water rights of WCIC at least for the remainder of this irrigation season. I'm sure the parties will quickly meet to see what options may exist during this extremely dry year.

If you have any questions, please contact either me or Brent Rose of our firm.

Very truly yours,

CLYDE SNOW & SESSIONS



Steven E. Clyde

CC: Mark H. Anderson, Esq./ w enclosure
Paul Strange, Esq.
D. Brent Rose, Esq.
Jody L. Williams, Esq.